

## **AMENDMENTS TO THE DRAWINGS**

Please replace drawing sheet 5 of 5, containing FIG. 6, with the attached replacement sheet.

## **REMARKS**

This application has been reviewed in light of the Office Action mailed August 8, 2005. Reconsideration of this application in view of the below remarks is respectfully requested. Claims 1-6 are pending in the application with Claims 1 and 5 being in independent form. By the present amendment, Claims 1-6 have been amended. No new subject matter has been introduced by way of the present amendment.

Initially, Claims 1-6 have been amended to correct grammatical and idiomatic errors.

### **I. Objection to the Drawings**

FIG. 6 has been objected to for allegedly not have all the elements disclosed in the specification labeled. The Examiner asserts that base station 20 of FIG. 6 should be labeled with reference numeral 30 instead. In response, a replacement sheet including a corrected FIG. 6 has been submitted. Accordingly, applicant respectfully requests withdrawal of the objection to the drawings.

### **II. Objection to the Specification**

The abstract has been objected to because it exceeds the 150-word limitation. In response, a replacement abstract, in compliance with the requirements of the U.S. Patent and Trademark Office, reciting: "A finger allocating section 5 allocates path timings corresponding to peak positions of a plurality of radio waves to separate finger sections 6 and further decides a path tracking range in each of the finger sections 6 on the basis of respective distances of peak positions in the plurality of radio waves. For instance, when distances between peak positions in a plurality of radio waves received from a base station 30 are narrow, the finger allocating section narrows a variable path tracking range in each of the finger sections 6. Digital base band signals are inversely spread within a path tracking range decided by the finger allocating section 5 among

segments positioned before and after a path timing allocated by the finger allocating section 5. In this way, a system and method is provided for positively receiving a plurality of radio waves in a manner that prevents deterioration of reception,” has been submitted. Accordingly, Applicant respectfully requests withdrawal of the objection to the specification.

### **III. Rejection of Claim 5 Under 35 U.S.C. §102(a)**

Claim 5 has been rejected under 35 U.S.C. §102(a) as allegedly being anticipated by Applicant’s admitted prior art (hereinafter, “APA”). APA teaches a mobile station, which allocates a path timing corresponding to a peak position of a detected received radio signal and performs inverse spreading within a predetermined path tracking ranges defined between before and after segments of a path timing allocated by a finger allocation section. (See: paragraph 0020). However, APA does not teach having a variable path tracking range in each of the finger sections and deciding on a path tracking range independently for each of the finger sections. (See: paragraph 0044). Therefore, APA does not properly anticipate amended Claim 5 reciting: “...deciding a path tracking range independently for each of said plurality of finger sections, said plurality of radio waves being inversely spread within said path tracking range among segments positioned before and after said path timing in each of said plurality of finger sections, said path tracking range in each of said plurality of finger sections being variable...”

Therefore, Claim 5 is believed patentably distinct and allowable over the cited prior art reference. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to Claim 5 under 35 U.S.C. §102(a).

### **IV. Rejection of Claims 1, 2, 3, 4 and 6 Under 35 U.S.C. §103(a)**

Claims 1, 2, 3, 4 and 6 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentably obvious over APA in view of U.S. Patent No. 5,764,687 issued to Easton et al.

Easton et al. discloses path tracking ranges which may be varied over time, however, as in the APA reference above, Easton et al. fails to disclose or suggest having path tracking ranges for each of the plurality of finger sections, wherein the path tracking ranges are individually determined for each of the plurality of finger sections, as recited by Applicant's amended Claim 1.

Since both Easton et al. and APA, taken alone or in any proper combination, fail to disclose or suggest the distinguishing feature of amended Claim 1 as mentioned above, Claim 1, is believed patentably distinct and allowable over the prior art references. Claims 2, 3, 4 and 6 depend from independent Claims 1 and 5 and thus recite the limitation of those independent claims. Therefore, for at least the reasons given above regarding Claims 1 and 5, Claims 2, 3, 4 and 6 are believed patentably distinct and allowable over the prior art references as well. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to Claims 1, 2, 3, 4 and 6 under 35 U.S.C. §103(a) over APA in view of Easton et al.

### **CONCLUSIONS**

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-6 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,



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PJE:DAT:  
Enclosure: Replacement Drawing